

116TH CONGRESS
2D SESSION

S. 4219

To extend the special air traffic rule for civil helicopters operating VFR along the North Shore, Long Island, New York, to require the Administrator of the Federal Aviation Administration to promulgate a new special air traffic rule, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2020

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To extend the special air traffic rule for civil helicopters operating VFR along the North Shore, Long Island, New York, to require the Administrator of the Federal Aviation Administration to promulgate a new special air traffic rule, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Long Island All-Water
5 Helicopter Route Act of 2020”.

1 **SEC. 2. LONG ISLAND, NEW YORK, NORTH SHORE AND**
 2 **SOUTH SHORE HELICOPTER ROUTES.**

3 (a) EXTENSION OF SPECIAL AIR TRAFFIC RULE FOR
 4 NORTH SHORE.—Notwithstanding the ending date for the
 5 period described in section 93.101 of title 14, Code of Fed-
 6 eral Regulations, the special air traffic rule for civil heli-
 7 copters operating VFR along the North Shore, Long Is-
 8 land, New York, in effect under subpart H of part 93 of
 9 title 14, Code of Federal Regulations, on August 6, 2020,
 10 shall remain in effect through the day before the date on
 11 which the final version of the special air traffic rule pro-
 12 mulgated under subsection (b) is published.

13 (b) RULEMAKING PROCEEDING.—

14 (1) IN GENERAL.—The Administrator of the
 15 Federal Aviation Administration (in this section re-
 16 ferred to as the “Administrator”) shall conduct a
 17 rulemaking proceeding to promulgate a special air
 18 traffic rule for civil helicopters operating VFR along
 19 the North Shore and South Shore of Long Island,
 20 New York, in accordance with the requirements of
 21 this subsection.

22 (2) REQUIREMENTS.—The special air traffic
 23 rule promulgated under this subsection shall require
 24 the following:

25 (A) NORTH SHORE HELICOPTER ROUTE.—

26 Each person who pilots a civil helicopter oper-

1 ating VFR along Long Island, New York's
2 northern shoreline between the VPLYD way-
3 point and Plum Island shall—

4 (i) based on the most recently pub-
5 lished editions by the Federal Aviation Ad-
6 ministration of the New York Helicopter
7 Route Chart and the Northeast Aero-
8 nautical Chart Bulletin, adhere to an all-
9 water North Shore Helicopter Route that
10 includes operating around Orient Point,
11 Shelter Island, and Plum Island;

12 (ii) mitigate noise by flying at least 1
13 mile from the shoreline and at an altitude
14 of not less than 2,500 feet mean sea level;
15 and

16 (iii) prohibit deviations from the
17 North Shore Helicopter Route for purposes
18 of transitioning to or from a destination or
19 point of landing when departing from or
20 arriving to locations east of longitude
21 72°16'04" W.

22 (B) SOUTH SHORE HELICOPTER ROUTE.—

23 Each person who pilots a civil helicopter oper-
24 ating VFR along Long Island, New York's

1 southern shoreline between Breezy Point Jetty
2 and the VPMLT waypoint shall—

3 (i) based on the most recently pub-
4 lished editions by the Federal Aviation Ad-
5 ministration of the New York Helicopter
6 Route Chart and the Northeast Aero-
7 nautical Chart Bulletin, adhere to an all-
8 water South Shore Helicopter Route; and

9 (ii) mitigate noise by flying at least 1
10 mile from the shoreline and at an altitude
11 of not less than 2,500 feet mean sea level.

12 (C) EXCEPTIONS.—A person who pilots a
13 civil helicopter operating VFR along Long Is-
14 land, New York’s northern shoreline or south-
15 ern shoreline may deviate from the North Shore
16 Helicopter Route or South Shore Helicopter
17 Route—

18 (i) when necessary for safety or
19 weather conditions; or

20 (ii) except as prohibited under sub-
21 paragraph (A)(iii), when transitioning to
22 or from a destination or point of landing.

23 (D) FLIGHT REPORT.—

24 (i) SUBMISSION.—If safety or weather
25 conditions cause a person piloting a civil

1 helicopter operating VFR to deviate from
2 the North Shore Helicopter Route or
3 South Shore Helicopter Route, the person
4 shall submit a 1-page report to the Admin-
5 istrator identifying the condition not later
6 than 14 days after landing.

7 (ii) PUBLIC DATABASE.—The Admin-
8 istrator shall make the reports submitted
9 under clause (i) publically available in an
10 online searchable database.

11 (3) DEADLINES.—

12 (A) RULEMAKING PROCEEDING.—Not later
13 than 90 days after the date of enactment of
14 this Act, the Administrator shall publish a no-
15 tice of proposed rulemaking to carry out the re-
16 quirements of this section.

17 (B) PUBLIC COMMENT PERIOD.—The Ad-
18 ministrator shall provide notice of, and an op-
19 portunity for, at least 30 days of public com-
20 ment on the special air traffic rule promulgated
21 under this subsection.

22 (C) EFFECTIVE DATE OF SPECIAL AIR
23 TRAFFIC RULE.—Not later than May 1, 2021,
24 the Administrator shall publish a final version
25 of the special air traffic rule promulgated under

1 this subsection which shall take effect upon
2 publication.

3 (c) REPEAL.—Effective on the date on which the
4 final version of the special air traffic rule promulgated
5 under subsection (b) is published by the Administrator,
6 subpart H of part 93 of title 14, Code of Federal Regula-
7 tions, is repealed.

○